

Legislative Fiscal Bureau

Fiscal Note

SF 300 – All Terrain Vehicles (LSB 2548 SS)

Analyst: Mary Beth Mellick (Phone: (515) 281-8223) (marybeth.mellick@legis.state.ia.us)

Fiscal Note Version – New

Description

Senate File 300 provides several changes to the Department of Natural Resources (DNR), including but not limited to the following:

- Creates a new Code of Iowa chapter for registration and regulation of off-highway vehicles similar to registration and regulation of all-terrain vehicles.
- Creates a Special Off-Highway Vehicle Fund.
- Requires annual registration of off-highway vehicles. The fees collected will be credited to the Special Off-Highway Vehicle Fund.
- Requires expired off-highway vehicle registrations to be renewed for the same fee as an original registration, plus a penalty fee of \$5.00.
- Off-highway vehicles that are not registered are to complete the following:
 - Apply for a day pass.
 - Display a plate on the rear of the vehicle, with a numbered sticker attached to the plate.
- Requires a transferee of an off-highway vehicle to file a new application form with a fee of \$1.00. If the transferee does not file the application within 30 days, the transferee must pay a \$5.00 penalty fee.
- Requires operators of off-highway vehicles to purchase a safety certificate for a fee of \$3.00. The fees collected will be credited to the Special Off-Highway Vehicle Fund to be used for safety and educational programs.
- Requires operators of off-highway vehicles to pay a \$10.00 application fee for a security interest, of which \$5.00 will be credited to the Special Off-Highway Vehicle Fund, and the remaining \$5.00 will be retained by the counties' general fund.
- Requires operators of off-highway vehicles to possess a valid driver's license.
- Allows county recorders to collect a \$10.00 fee for a certificate of title, transfer of title, a duplicate, or a corrected certificate of title. Of that amount, \$5.00 will be deposited into the Special Off-Highway Vehicle Fund, and the remaining \$5.00 will be retained by the counties' general fund.
- Allows county recorders to collect a writing fee of \$1.25 for each off-highway vehicle registration.
- Amends certain scheduled violations provisions in the Code of Iowa to include off-highway vehicles.

Assumptions

1. There are currently no laws or regulations in place in Iowa for off-highway vehicles.
2. The Department of Natural Resources estimates there are 5,000 off-highway vehicles in Iowa.
3. A \$25.00 registration fee will be required.
4. Registration fees collected by the DNR will be approximately \$125,000 annually.
5. Expenditures will total approximately \$550,000 in the first year, and approximately \$225,000 in the second year. Expenditures include the following:

First Year:

- Salaries for recreational safety officers, law enforcement, and a program administrator: \$130,000

- Administrative support, including record keeping, rule making, data input, and decals: \$45,000
 - Capital outlay, including land acquisition and liability insurance: \$175,000
 - Environmental impact study: \$200,000
- Second Year:
- Salaries for recreational safety officers, law enforcement, and a program administrator: \$130,000
 - Administrative support, including record keeping, rule making, data input, and decals: \$45,000
 - Capital outlay, including land acquisition and liability insurance: \$50,000
6. Off-highway vehicle registrations are not expected to increase.
 7. Costs to the counties are estimated to be minimal.

Correctional Impact

Creation of a new offense carries the potential for a correctional impact on court caseloads and the use of corrections resources. It is reasonable to expect an increase in misdemeanor convictions under SF 300, however, there is no readily available information with which to estimate this increase.

Fiscal Impact

The estimated net fiscal impact of SF 300 is as follows:

Special Off-Highway Vehicle Fund Department of Natural Resources

	First Year		Second Year	
	Current Law	Proposed Law	Current Law	Proposed Law
<u>Revenues</u>				
Off-Highway Vehicle Fund	\$ 0	\$ 125,000	\$ 0	\$ 125,000
Total Revenues	<u>\$ 0</u>	<u>\$ 125,000</u>	<u>\$ 0</u>	<u>\$ 125,000</u>
<u>Expenditures</u>				
Salaries	\$ 0	\$ 130,000	\$ 0	\$ 130,000
Support	0	45,000	0	45,000
Capital Outlay	0	375,000	0	50,000
Total Expenditures	<u>\$ 0</u>	<u>\$ 550,000</u>	<u>\$ 0</u>	<u>\$ 225,000</u>
Net Total	<u>\$ 0</u>	<u>\$ - 425,000</u>	<u>\$ 0</u>	<u>\$ - 100,000</u>

Additional moneys collected for day passes, registration plates, and fines are unknown. Additional moneys collected for safety certificates, security interests, transfers, titles, and penalties are expected to be minimal.

Counties' General Fund

Moneys collected for writing fees, security interests, and titles are expected to be minimal.

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Department of Natural Resources

/s/ Dennis C Prouty

March 26, 2003

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.
